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## **Brazil: Carandiru massacre trial must end long legacy of impunity**

A court trial this week over police responsibility for a Brazilian prison massacre two decades ago must signal the beginning of the end for a long legacy of impunity, Amnesty International said today.

According to the human rights organization, the failure of Brazilian authorities in bringing anyone to justice for the Carandiru killings has reinforced longstanding abuses that have characterized Brazil's detention system.

More than 20 years after São Paulo state police repressed a jail riot in Carandiru prison, killing 111 prisoners, 26 rank and file police officers who allegedly took part on the deadly operation are due to face trial – the first of four trials opens today after being adjourned last week.

“This trial must be a turning point”, said Atila Roque, Amnesty International's Brazil Office director. “For years, the delay in bringing those responsible for the Carandiru massacre to justice has been a dark cloud hanging over the whole country – we hope that now this impunity is finally coming to an end.”

Amnesty International said that not only the police officers who actually committed the crimes, but also the heads of the São Paulo state public security authority and the state Governor at that time should face justice.

Several factors have led to trial delays - chief among them has been a conflict between military and civil court jurisdiction over the case.

“In Carandiru, there was undoubtedly excessive use of force, and there's strong evidence to support the suspicion that police committed extrajudicial executions,” said Roque.

“Be it negligence or collusion, the judicial system has at best ignored at worst shown complete contempt for any concept of justice and the rights of those who were brutally and shamelessly killed in Carandiru.”

The judicial process against Colonel Ubiratan Guimarães, the commanding officer of the police unit sent to restore order in Carandiru, is the most outstanding example of the Brazilian authorities' disregard for the gross human rights violations that took place in the prison.

In July 2001, Guimarães was sentenced to more than 600 years in prison by a São Paulo court. However, in February 2006 the state Supreme Court overturned the conviction, ruling that Guimarães had acted strictly in line with his duties and had been following orders from above.

“The Carandiru massacre is tied to two systemic problems that continue to plague Brazil's detention system: the extensive torture and cruel, inhuman and degrading conditions in detention centres all across the country and the authorities' reluctance to address these problems, either through effective reforms or the investigation and prosecution of perpetrators,” said Roque.

According to Amnesty International's Brazil office, these problems have worsened over the two decades since the massacre. In that time Brazil's prison population has grown from 114,377 in 1992 to 514,582 in 2011 according to figures from the Ministry of Justice.

### **Background information**

On 2 October 1992 a rebellion erupted in the Casa de Detenção prison in São Paulo, popularly known as Carandiru. Fighting broke out between prisoners who then seized control of Block 9 in the prison. Shock troops of military police stormed the prison to quell the rebellion. When they withdrew 11 hours later, 111 prisoners were dead.

Twenty-four hours after the massacre, an Amnesty International delegation entered the detention centre and found extensive evidence of extreme human rights violations at the hands of São Paulo's riot police (Tropa de Choque).

In its comprehensive report documenting the aftermath of the military police operation, [\*Death has arrived. Prison massacre at the Casa de Detenção, São Paulo\*](#), the organization said: "...it became clear that defenceless prisoners had been massacred in cold blood. Wounded prisoners were shot dead, as were prisoners who had been ordered to remove bodies from cells.... Although there were three judges present, including the senior judge in charge of prisons, they made no effort to prevent this."

This report was cited in full as an evidence in Col. Guimarães' trial.

79 police officers involved in the massacre are going to be judged in four different trials this year. Each trial will examine the action of the police in one of the four storeys of Block 9 at Carandiru prison.

Until these trials, the overwhelming majority of those accused of responsibility for the Carandiru massacre never has been brought to justice. Most of them remained on the police force until their retirement and a third of them are still active police officers.